

**ENTERED**

May 13, 2019

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

UNITED STATES OF AMERICA

§  
§  
§  
§  
§  
§  
§  
§  
§  
§

VS.

CRIMINAL ACTION NO. H-95-159

THADDIUS CHRISTOPHER GOINS

**ORDER**

Thaddius C. Goins has filed a Motion for Reduction of Sentence under 18 U.S.C. § 3582. (Docket Entry No. 290). Goins asks the court to consider reducing his sentence under the First Step Act, which allows judges to apply the Fair Sentencing Act retroactively to change the length of some mandatory minimum penalties.

Goins was convicted of conspiracy to possess with intent to distribute in excess of 50 grams of cocaine base, and aiding and abetting the possession with intent to distribute in excess of 50 grams of cocaine base, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A) and 846, and 21 U.S.C. §§ 841(a)(1), (b)(1)(A), and 18 U.S.C. § 2. In February 1996, Goins was sentenced to concurrent 380-month terms on both charges.

In January 2004, the court granted the government's Motion for a Reduction of Sentence under Rule 35 and reduced the sentence to 336 months. In November 2015, Goins's sentence was reduced on a Motion for Sentence Reduction under 18 U.S.C. § 3582(c)(2) to a 302-month prison term.

Under the First Step Act and the Fair Sentencing Act, a violation of 21 U.S.C. § 841(b)(1)(A)(iii) now requires distribution of 280 grams or more of a mixture or substance containing cocaine base. Goins's relevant conduct outlined in the Offense Conduct section of the Presentence Report held him accountable for 2.9 kilograms of cocaine base. This amount meets the threshold for a 21 U.S.C. § 841(b)(1)(A)(iii) offense, even considering the heightened drug amounts required for a mandatory minimum sentence under the Fair Sentencing Act. Goins's 10-year mandatory minimum does not change, and he is not eligible for a reduced sentence.

Goins's motion, (Docket Entry No. 290), is denied.

SIGNED on May 13, 2019, at Houston, Texas.

A handwritten signature in black ink, reading "Lee H. Rosenthal", written over a horizontal line.

Lee H. Rosenthal  
Chief United States District Judge

